

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN

UNITED STATES OF AMERICA)	
)	
v)	CR. NO. 2:05cr213-F
)	WO
JERRY WAYNE CULVER)	

ORDER ON MOTION

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing was held on September 21, 2005. For the following reasons, I conclude that the defendant should be detained pending trial in this case.

I find that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence that defendant has admitted to raping a 13 year old (for which he was charged but not prosecuted), and to having oral sex with two nieces around the ages of five or six. He has located and observed families with daughters in his neighborhood, and has written to some of the families, and to the Cherokee tribe in Guntersville, indicating that he would like to date young girls. Defendant has also sought to put a personal ad in the Bulletin Board to the same effect. He has a pending stalking charge, as well as multiple DUI charges. He is not employed, and he has a history of mental illness. Based on the foregoing, the court concludes that there are no conditions or combination of conditions which will reasonably protect the community and that the defendant should be detained.

Therefore, it is ORDERED that the defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

DONE, this 28th day of September, 2005.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE